

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

TERESA D. VARDEN,	}	
	}	
Plaintiff,	}	
	}	
v.	}	CIVIL ACTION NO.
	}	04-AR-0689-S
	}	
CITY OF ALABASTER, ALABAMA,	}	
	}	
Defendant.	}	
	}	

**MEMORANDUM OPINION AND ORDER**

The court has before it the motion to compel filed by plaintiff, Teresa Varden ("Varden"), on December 23, 2005, and heard at this court's regular motion docket on February 17, 2006. Pursuant to the court's request, Varden supplemented her motion to compel on March 10, 2006, clarifying which of the categories of documents and things requested in the original motion remain in dispute.

Pursuant to Varden's supplemented motion and the responses filed by defendant, City of Alabaster, Alabama ("Alabaster"), the court determines that Varden's motion to compel is due to be partially granted, and is hereby GRANTED to the extent that it seeks to compel Alabaster to produce the personnel files of its employees from 1990 to the present,<sup>1</sup> because the information contained therein is relevant to Varden's claim for disparate

---

<sup>1</sup> These documents were requested by Varden in paragraph number 12 of her motion to compel.


treatment. To the extent that Varden requests documents regarding employees' medical qualifications that are not included in their personnel files, Varden's request is DENIED as exceeding the number of requests for production allowed by this court's scheduling order of May 25, 2004. The parties are hereby ORDERED to enter into a protective order guarding the confidentiality of any personal information disclosed pursuant to this order.

Alabaster is ORDERED to produce the documents to Varden on or before **4:30 p.m. on March 24, 2006**. Copying costs shall be borne by Varden.

All other requests contained in Varden's motion to compel are DENIED to the extent they have not already been MOOTED by the parties' actions.

The deadline for discovery has passed.

DONE this 15<sup>th</sup> day of March, 2006.

  
WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE